



Appeal Decision

Site visit made on 12 April 2022

by E Symmons BSc (Hons) MSc MArborA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25th November 2022

Appeal Ref: APP/N4720/W/21/3289510

Land at Wharfeside, Boston Spa

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Wharfeside Boston Spa LLP against the decision of Leeds City Council.
 - The application Ref 19/05151/FU, dated 21 May 2021, was refused by notice dated 25 June 2021.
 - The development proposed is demolition of existing buildings and the construction of new garage with ancillary accommodation above as part of enlarged residential plot for 301 High Street; erection of 5 new dwellings along with associated works; alterations to Wharfeside including the demolition and realignment of boundary walls facing High Street and Wharfeside and the alterations of existing residential plots.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs has been made by Leeds City Council against Wharfeside Boston Spa LLP. This application is the subject of a separate Decision.

Preliminary Matters

3. A number of revised plans were submitted with the appeal. These were:
 - Site layout plan ref 1063 02 02 rev P which includes highway amendments for Wharfeside. Plan 002 titled 'visibility splay with trees retained' with details of the Wharfeside/High Street altered alignment and visibility splays. Block Plan 001 with revised Wharfeside proposals. Within these plans the position and design of the dwellings is unaltered;
 - Plan ref 1063 02 07 rev E showing design of the garage at 301 High Street (No 301) has been revised. Rev F now removes dormer windows;
 - A Heritage Impact Assessment, and
 - An Ecological Mitigation Strategy and Biodiversity Net Gain (BNG) Assessment.

4. On 5 April, alongside final comments, further information was also submitted by the appellant to correct an error in earlier documents and give additional Counsel advice.
5. The Green Belt (GB) boundary runs along the western edge of Wharfeside. Plots 4 and 5, and the associated widening of Wharfeside and its High Street junction, would be to the east of this boundary and within the GB. The part of the proposal to the west including Plots 1, 2 and 3 are outside of the GB and are therefore not discussed further within the context of GB policy.
6. The Council has raised the possibility that the proposed highway proposals would be engineering works as set out in paragraph 150(b) of the National Planning Policy Framework (the Framework). It has therefore assessed these works separately from the dwellings and their curtilage. However, the highway works are an integral part of the whole development and would be necessary to facilitate its access. I have therefore considered the highway works as part of the plot 4 and 5 proposals rather than separately.
7. Since the Council determined this application the Framework has been revised. This is acknowledged and reflected within the parties' evidence.

Background and main issues

8. The proposal would be situated either side of Wharfeside which was previously called Gas Works Lane. This narrow lane leads off High Street (A659) providing vehicular and pedestrian access to a small number of dwellings and, being a Public Right of Way (RoW), gives access to the wider RoW network. The development site lies within Boston Spa Conservation Area (BSCA) and designated Strategic Green Infrastructure (SGI) and Wharfe Valley and Chevin Ridge Key Corridor (Key Corridor).
9. Two dwellings would be constructed to the east of Wharfeside on green field land within the GB. To the west side of Wharfeside it proposes three dwellings and construction of a new garage with ancillary accommodation above which would serve No 301.
10. The main issues are:
 - whether the proposal would be inappropriate development in the GB having regard to the revised Framework and any relevant development plan policies;
 - the effect of the proposal on the openness of the GB;
 - the effect of the proposal on the character or appearance of BSC Area, SGI and Key Corridor;
 - whether the location of the development would conform to policy;
 - the effect of the proposal on the housing mix and density of housing in the area;
 - the effect of the proposal on biodiversity, trees and climate change;
 - the effect of the proposal on highway safety and amenity of the RoW, and

- whether the harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the proposal.

Reasons

Whether inappropriate development in the GB

11. Paragraph 149 of the Framework states that the construction of new buildings in the GB should be regarded as inappropriate other than for several exceptions. One of those is within paragraph 149(e) which refers to limited infilling within villages. In this respect, Policy N33 of the Leeds Unitary Development Plan Review 2006 (UDP) is broadly consistent with the Framework and includes, amongst other exemptions, limited infilling in villages. To ascertain whether this exemption may apply, the question is whether the eastern part of the site is within the village.
12. Boston Spa Neighbourhood Development Plan 2012-28 (NP) shows the proposal within the 'village envelope'. The more recent Core Strategy (as amended by the Core Strategy Selective Review 2019) (CS) shows the 'settlement boundary' as the western edge of Wharfeside in common with the GB boundary. It is contended that the CS did not consider settlement boundaries/limits and that the NP is the most up to date document in this regard. This is disputed by the Council.
13. I accept that it is possible for a village to be within the GB and that its boundary would not necessarily correspond to the extent of the village. However, irrespective of boundaries shown on plans, and when considering if a site is in a village, a local plan may not be determinative for this purpose. Case law directs that the decision maker should have regard to the situation "on the ground" as well as any relevant policies.
14. Wharfeside has a very different and contrasting character and appearance from the High Street. It is a narrow and unmade lane with the side and rear elevations of Nos 303 and 305, facing the lane. These two properties are seen within the context of No 301 on the opposite side of the lane creating a visual relationship between the buildings. However, on passing this group of dwellings the character and appearance of the lane, on both sides, changes.
15. The proposed site for Plots 4 and 5 sits adjacent to the curtilage of No 305. It is a large green area bounded by mature trees and hedges which are seen within the context of other trees further east. Its character is open with clear views through the trees towards fields beyond to which it is spatially linked. It does not have the appearance of a gap within a village, but appears as part of the countryside beyond.
16. The dwellings at Nos 1 and 2, despite having a Boston Spa address, are a considerable distance down Wharfeside forming a small distinct grouping with little visual relationship with Nos 303 and 305. Therefore, the two groups of dwellings to the east of the lane, rather than creating a presence onto Wharfeside, appear as projections into the countryside.
17. There are buildings along the western side of the lane. However, these properties do not create an active frontage in this direction with any entrances present being minor with the front elevations further west. This side of the lane is therefore defined and mainly characterised by the rear

elevations of the properties; their high walls; fences; rear garden boundary treatments and vegetation.

18. The main urban area stretches to the west with its back toward the route and the eastern side has a green, semi-rural and countryside character. Consequently, and from my observations on site, the lane and the eastern part of the development would be outside of the village.
19. The appellant contends that larger developments at Horsforth Campus and Drighlington have been approved by the Council. The Drighlington example ref 17/02163/FU on a previously developed allocated housing site had had numerous buildings present which altered assessment of openness; had an affordable housing element and was. The site within Horsforth fell within paragraph 149(g) of the Framework and when openness was assessed, the site was not considered to fulfil an important GB function. Furthermore, large parts of the site were on previously developed land which already benefitted from an extant planning consent which represented a credible fallback. It was therefore not considered to harm the characteristics of the GB.
20. These two examples therefore, had different planning balances and tests applied compared with the case before me. They therefore represent a different situation and carry neutral weight within my decision.
21. There is no definition of infill in the Framework other than reference to it being limited. However, the definition within the Planning Portal glossary defines infill development as within "a relatively small gap between existing buildings". This is similar to the definition of infill in Policy GB2 of the UDP which refers to 'a small gap bounded by existing development'.
22. The expansive nature of the site's size and frontage along the lane combined with its countryside character and visual link to the fields beyond, do not fall within this definition, nor is the site experienced as a small gap when seen within the context of the lane. Therefore, even if I had come to a different conclusion regarding the position of the site with respect to the village boundary, I would not have considered the site to represent infill for the purposes of paragraph 149(e) of the Framework.
23. The appellant cites two appeal decisions to support their case regarding 'limited infill'. I have not been provided with the full details of the cases and based on the screenshots provided, the development at Aspley Guise was similar to that before me being for two dwellings. However, the site was within a continuous building line present on both sides of the road and appears as a gap within that active frontage. This differs from the situation of the proposal. The second site at Northwich was found to fall within the exemption in paragraph 149(e) of the Framework. Although this site was outside the settlement boundary, it was found to be within the village when assessed by the Inspector. In both cases, the sites are in other Council areas and were determined under different development plan policy criteria. From the information presented these examples represent different scenarios from that before me and carry neutral weight within my decision.
24. In conclusion, the part of the proposed development to the east of Wharfeside would not be within the village and would not fall within the exception set out at paragraph 149(e). It would therefore constitute inappropriate development in the GB. In accordance with paragraph 147 of

the Framework, inappropriate development is, by definition, harmful to the GB and should not be approved except in very special circumstances.

Openness

25. The appeal proposal would construct two, two-storey dwellings and associated driveways, gardens and other external features. It would also include alterations to Wharfeside comprising an altered layout, its realignment; construction of new boundary treatments at the High Street junction; segregated footways; resurfacing; widening; passing places and a turning head for ease of large vehicle access.
26. As described earlier, Wharfeside is a narrow lane with a semi-rural character. There is no footway and once properties at Nos 303 and 305 are passed, the boundaries on either side are generally soft and vegetated. Whilst the proposed highway would abut the properties along the western edge of Wharfeside, it would be widened into the GB and extended considerably between its intersection with High Street and the northern edge of Plot 5.
27. The paddock would be replaced by two dwellings; their garages; driveways; moving and parked vehicles; associated lighting; more formalised boundary treatments; garden planting and domestic paraphernalia. This, combined with the highway works and an intensification of use through increased traffic movements generated by the additional dwellings and increased levels of activity, would have an urbanising and enclosing effect when compared with the current situation. Although there could still be a backdrop of mature vegetation provided by retained trees, the open views from Wharfeside to the countryside beyond which are seen by people using the lane recreationally would be constrained.
28. The proposal would therefore have a profound effect upon the open character of the site and the GB. It would therefore not preserve the openness of the GB spatially and visually, would not safeguard the countryside from encroachment and would harm the openness of the GB. The effect of the proposal on openness would be significant.
29. Paragraph 137 of the Framework states that the fundamental aim of GB is to keep land permanently open. Its essential characteristics are openness and permanence. The proposal would conflict with the purposes of this GB policy and with the broad aims of policy N33 of the UDP.

Character and appearance

30. The appeal site is within BSCA which is characterised by numerous listed and high-quality buildings. It covers the village of Boston Spa and the land to the west of Wharfeside as far as Firgreen Beck.
31. The BSCA Appraisal and Management Plan (CAAMP) states that the open countryside provides a rural setting to the village. It refers to the 'unmade' and informal character of lanes such as Wharfeside as reflecting the former strip field layout of the land on which the village developed. These lanes also provide 'complexity and permeability' and 'a pleasing sense of informality' in these areas. It also states that 'It is important that development around the conservation area does not harm its setting. Any development in or around Boston Spa which affects the setting of the conservation area should 'have

regard to views into and out of the conservation area, the setting of positive buildings and the character of the landscape’.

32. The undeveloped nature of the eastern part of the site and the informality of the western boundary with trees, hedges and vegetation in the rear gardens of properties, reinforces the semi-rural setting of BSCA, the SGI and Key Corridor. The juxtaposition of countryside with the more built-up character of land to the west contribute to the way in which BSCA is experienced.
33. To the east, two dwellings would be introduced into a green, open and undeveloped area. The properties, their drives and gardens would front on to and formalise Wharfeside. The two-storey dwellings would interrupt and partially obscure clear views of the trees and countryside beyond introducing an active urban edge which is currently not present.
34. To the west it is the rear and often heavily vegetated aspect of the built environment which is currently experienced. The Heritage Impact Assessment notes that the existing property at No 301a which would be demolished, has a neutral to adverse impact upon BSCA and I agree that its loss would not harm the area. However, the property’s single-storey and partially screened eastern elevation would be replaced by three, two-storey dwellings facing directly on to Wharfeside.
35. In addition, a new detached triple garage with ancillary accommodation and link extension serving no 301, is proposed. Although the garage would delineate the historic property curtilages, when taken in combination with construction of three dwellings, and despite the proposed removal of its dormer features, it would represent a more formalised and urban elevation than is currently present.
36. I acknowledge care has been taken with the detailed design of the proposed dwellings and the appellant’s willingness to alter design detail and these matters could be secured by way of a planning condition. However, the principle of the proposal in terms of its built mass, the increased number of dwellings and the consequent urbanising effect upon the area is inherently harmful and would conflict with the aims of the CAAMP, irrespective of alterations to the detail.
37. The highway alterations previously detailed would, on both sides of Wharfeside, result in loss of the existing vegetated boundaries, widening and urbanising its character and appearance and formalising the route and area. Although other lanes in Boston Spa such as Spa Lane may have an active frontage, the changes proposed in this case would alter the existing narrow countryside character and appearance which is a particular feature of this route and therefore BSCA.
38. Trees make a substantial contribution to BSCA, the SGI and Key Corridor adding maturity to its character and appearance. The CAAMP states that large mature trees should be retained and are a significant positive feature. Furthermore, paragraph 131 of the Framework highlights the value of trees to the character of an area and to mitigate climate change. It advises that existing trees should be retained where possible.
39. An Arboricultural Impact Assessment and Tree Protection Plan (Taverdale, March 2019) were produced. However, amended site layout plans, including

various iterations of the junction with the High Street have been submitted. There is no updated arboricultural report submitted to suggest that these amended proposals have been sufficiently assessed in arboricultural terms or with respect to their potential impact on living conditions within proposed dwellings. Consequently, there is insufficient detail to confirm whether the proposal could be implemented whilst retaining the trees. For this reason, a condition requiring an AMS would not be appropriate.

40. Policy LAND2 of the Natural Resources and Waste DPD (DPD) requires three trees to be planted for each tree lost to development. Given the lack of consistency between the plans, there is some ambiguity regarding numbers of trees which could be retained. There is therefore, no certainty that consequent replacement numbers have been fully considered or could be accommodated within the landscaping proposals. The potential loss of trees and inability to ensure replacement of their value would harm the character and appearance of BSCA.
41. The proposal must be considered within the context of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (The Act) which requires me to pay particular attention to the desirability of preserving or enhancing the character or appearance of BSCA. The effect of the proposals considered in their totality, would substantially change the character and appearance of the lane. It would extend the built form into the countryside and would significantly diminish the positive contribution its character and appearance make to BSCA as a whole. Although the harmful effect of the proposals within Wharfeside would be significant, this would amount to less than substantial harm when taken within the context of BSCA as a whole.
42. Paragraph 199 of the Framework advises that when considering the impact of a proposed development on the significance of a designated heritage asset such as BSCA, great weight should be given to the asset's conservation. That is still so, irrespective of whether the potential harm is 'less than substantial'. I will return to this matter later.
43. Spatial Policy 13 of the CS identifies the area including Wharfeside, as part of its SGI and a Key Corridor performing important functions and providing opportunities for recreation. The Council seeks to maintain, enhance and protect SGI and Key Corridors alongside their natural features, locally important spaces, skylines and views. I note that the NP does not identify the eastern part of the development site as local green space, nor does it identify the site as potentially affecting any key views within BSCA, or being near a non-designated heritage asset. However, it does identify Wharfeside as a Green Corridor and a Site of Nature Conservation Value specifically mentioning mature trees. Its value is therefore acknowledged.
44. The harm identified to the character and appearance of BSCA would conflict with The Act and Section 16 of the Framework. The harm to BSCA, the SGI and Key Corridor would conflict with policies G1; G2; SP13; P10; P11 and P12 of the CS; policies GP5; LD1; LD2; N19; N24; N25; N37A; BD5 and BC7 of the UDP and policies Dev2; Des1; Des2; T1; T2 and T3 of the NP. These policies amongst other matters, seek preservation and enhancement of the character or appearance of the conservation area; seek protection, maintenance, and enhancement of the district's existing and natural assets; provision of appropriate landscaping; protection of natural site features and

locally important spaces, skylines and views. Guidance contained within the Council's Greening the Edge (Greening SPG); Neighbourhoods SPGs and Guideline Distances from Development to Trees 2020 and paragraph 131 of the Framework support retention and enhancement of trees.

Highway safety and amenity of the RoW

45. Wharfeside currently serves as an access for existing dwellings and for pedestrians using the RoW which leads from Boston Spa towards the river Wharfe and associated routes. The RoW is well-used and could be improved.
46. The proposal would result in additional vehicular use and the lane's improvement is primarily being proposed to facilitate the development. The various alterations would improve the junction visibility splay and surfacing, introduce passing places and a turning head and provide segregated footpaths. This would improve access for all. These proposals have received support from Highway Officers and interested parties and I conclude that the proposals would improve highway safety and access.
47. The Council state that the improvements, their implementation, adoption standards and maintenance in perpetuity could be secured by planning conditions and a planning obligation. I have no reason to disagree with this. The appellant has submitted a Unilateral Undertaking (UU) alongside this appeal. I will return to this later in my decision. Should a satisfactory obligation be present and appropriate conditions applied, the highway proposals would not conflict with policies P10 and T2 of the CS, Policy LD2 of the UDP and policy AF1 of the NP. These policies, amongst other matters, seek safe and secure highway access for pedestrians, cyclists and people with impaired mobility. They are supported by guidance within the Neighbourhoods SPG, Street Design Guide, Parking, the Draft Parking and Accessible Leeds SPDs and paragraph 110 of the Framework.

Location of proposal

48. Policy H2 of the CS has three criteria, one of which relates to compliance with GB policy. As discussed previously, development of the eastern part of the site would harm the GB, to which I have attributed substantial weight in accordance with paragraph 148 of the Framework. The policy additionally states that for green field sites there is a presumption against development of sites which make a valuable contribution to the visual, historic or spatial character of the area. Given my conclusions in relation to these matters, the proposal would conflict with Policy H2 of the CS.

Housing mix and density

49. Policy H4 of the CS requires development to include an appropriate mix of dwelling types and sizes to address needs measured over the long term taking into account the nature of the development and character of the location. Boston Spa has a need for smaller housing units which is not disputed by the appellant. The proposal would demolish and replace one dwelling and deliver a net increase of four large, detached dwellings on an unallocated site. Table H4 within the accompanying text to this policy sets out the 'preferred housing mix' with a maximum of 50% of dwellings to be 'four bedrooms plus'. This is supported by Policy Dev1 of the NP which although not identifying specific targets, supports provision of one and two

bedroom homes to meet the needs of young people and over 55s. The supporting text to policy H4 gives further information regarding small developments stating that in these cases achievement of an appropriate mix to meet long term needs is not overriding. I also note that the preferred mix is not stated within the policy itself, and that the character of the area can be considered.

50. From my site visit it was evident that the prevailing character of the area is of large dwellings in ample gardens. Notwithstanding the above policies, the proposal would accord with the prevalent housing mix within the area. In the absence of a definitive policy detailing housing mix, I therefore find the proposal would be acceptable when taken within the context of the wider area. In this respect the proposal would not conflict with policy H4 of the CS.
51. Policy H3 of the CS requires delivery or exceedance of net densities of 30 dwellings per hectare in smaller settlements such as Boston Spa, unless there are overriding townscape, character, design or highway capacity reasons. The policy also goes on to state that special consideration will be given to the prevailing character and appearance in conservation areas.
52. With a proposed density of 24 dwellings/ha to the west of Wharfeside, the proposal would not meet the level of provision required by policy. There is no such conflict regarding density on the eastern part of the site as this sits outside the village envelope.
53. My own observations during my visit confirmed that the prevailing character and design of neighbouring properties in this part of Boston Spa is generally of large dwellings as seen at River View to the west. This, combined with the size of the available plot to the west confirms that in this case there would be justification for a slightly reduced density. Consequently, the proposal would not conflict with policy H3 of the CS.

Biodiversity, trees and climate change

54. The property which would be demolished to accommodate the three western dwellings is set within relatively large gardens. Moreover, the two dwellings and associated highway features proposed to the east of Wharfeside would be within an area which is currently green and undeveloped. Construction would therefore lead to loss of garden area; grassland; hedges and potentially trees. A Preliminary Ecological Appraisal Report (Brooks Ecological, July 2019) identified broadleaved trees as the most valuable feature of the development site. It also identified potential areas for bat roosts within two buildings to the west of Wharfeside and two trees to the east. Furthermore, the proximity of off-site ponds noted potential for Great Crested Newt (GCN).
55. Surveys to confirm presence or otherwise of protected species were recommended within this report but have not as yet been undertaken. In the absence of these, a Mitigation Strategy (Brooks Ecological, 15 December 2021) was submitted. This aims to address issues around protected species and includes proposals to carry out the surveys.
56. With respect to GCN, the appellant suggests that District Level Licensing (DLL) could be pursued without the need for surveys to take place. However, Guidance for Developers (updated 7 May 2021) on how to join the DLL

scheme for GCNs states that initial contact should be made to Natural England (NE) prior to the planning application being made. A copy of the countersigned agreement should be submitted with the planning application to show agreement to join the scheme. I do not have this before me or any further information to support the feasibility of this approach. With respect to bats, a similar approach is suggested which would involve the issue of a mitigation licence should bats be found following an initial survey.

57. Before any actions identified within the Mitigation Strategy could be engaged the surveys would need to be completed. The appellant suggests this could be ensured by way of a planning condition. However, guidance within ODPM Circular 06/2005 is clear that it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted. If not, all relevant material considerations may not have been addressed in making the decision. The appellant has advanced no exceptional circumstances as to why this has not been undertaken.
58. Brooks Ecological undertook a BNG assessment on 13 December 2021. This states that notwithstanding any subsequent landscaping scheme which could provide replacement or improved planting, the net loss in biodiversity which would result from the proposal would require biodiversity offsetting.
59. It was indicated that BNG could not be delivered on-site. Option 2 within the Council's document 'Achieving net gain for biodiversity – guidance for developers', covers this scenario. This requires an applicant to pay a 'biodiversity credit' to the Council which may be able to deliver the required BNG. However, the document is clear that applicants should seek confirmation with the LPA as to whether this can be agreed. This was not undertaken for the proposal before me.
60. The appellant has submitted application ref 21/01796/FU to support the feasibility of this approach. However, the circumstances of this application differ as the Council had an adjacent site within its ownership which could deliver the required, and agreed, level of BNG. This is not the case with the proposal before me and this example does not support this approach.
61. Nonetheless, a UU to provide £14,800.00 to the Council as a contribution to deliver this has been submitted. The Council dispute the identified level of loss and consequent proposed level of contribution. The study classified the grassland area as 'other neutral grassland' despite woodland indicator species (bluebell, lesser celandine and lords and ladies) being recorded. From the evidence before me I have no reason to disagree with the Council's assessment of this matter. There is therefore no certainty that the biodiversity value of the site, and therefore the level of contribution, has been correctly calculated. The appellant has provided no evidence to dispute this. I will return to the UU later within my decision.
62. As discussed earlier, the proposal may lead to the loss of trees and there is doubt as to whether compensatory planting could be achieved. Furthermore, the Council contend that loss of trees and vegetation would harm climate change and air pollution objectives, particularly due to potential tree loss adjacent to High Street. I have no reason to disagree with this view.

63. In conclusion regarding biodiversity, there is a lack of detailed surveys for protected species; a lack of certainty regarding required levels of BNG; an absence of a secured delivery mechanism for BNG and insufficient technical evidence to support proposed tree retention and replacement. Consequently, on the evidence before me, the proposal would harm biodiversity, trees and the associated value of the SGI and Key Corridor. It would also have a consequent impact upon wider climate change and pollution mitigation.
64. The proposal conflicts with policies SP13; G1; G2; P10; P12; G8 and G9 of the CS, policies LP1; LD1; LD2 and N37A of the UDP and policies T1; T2; T3 and T4 of the NP which safeguard trees, biodiversity and address climate change. These policies are supported by paragraphs 174 and 131 of the Framework and guidance within the Council's Greening and Neighbourhoods SPGs, Guideline Distances from Development to Trees 2020 and the NP. Due to the potential harm to biodiversity including European protected species, trees and habitat, I give substantial weight to these harms.

Planning Obligation

65. A completed UU has been submitted. Paragraph 57 of the Framework states that planning obligations should be directly and reasonably related in scale and kind to the development. There is disagreement between the parties regarding the UU's ability to deliver its stated purpose. However, given my overall findings within this decision, I have not considered this further.

Other Considerations

66. The Framework reaffirms the Government's objective of significantly boosting the supply of homes and the proposal would result in a net increase of four additional housing units. However, within the context of the Council's existing delivery of its five-year housing land supply, and as only four dwellings are under consideration, I attach only minor weight to this benefit.
67. The highway improvements would benefit mainly current and local users including those using the RoW. This has gained support within the local community. The impact of these improvements carry moderate weight in support of the proposal.
68. Other benefits would result from financial gains arising from the construction and ongoing servicing of four dwellings. However, due to the small size of the proposal, these would be limited in scale and carry limited weight.
69. The totality of the benefits must be weighed against the harm the proposal would cause.

Other matters

70. It is suggested within the Design and Access statement that a reduced number of buildings would not be viable. However, this is not expanded upon and I therefore give this argument little weight.
71. An opportunity to consolidate the brickwork currently seen at the Main Road junction would be visually beneficial. However, there is no evidence that this could not be achieved without the proposal. The appellant contends that the lane's appearance contributes to littering, dog fouling and anti-social behaviour. Although this may be the case, the proposal would fundamentally

alter the character and the appearance of the area which must be balanced against any improvement in levels of anti-social behaviour. The proposal has the potential to deliver BNG. However, there is no certainty that these would be appropriate or could be delivered. These matters, on balance, carry neutral weight within my decision.

Overall Conclusions and Planning Balance

72. The proposal constitutes inappropriate development in the GB which would cause significant harm to its openness. In accordance with paragraph 148 of the Framework, I ascribe substantial weight to these matters.
73. Within this decision I have identified 'less than substantial' harm to BSCA which attracts great weight. In accordance with paragraph 202 of the Framework the public benefit of the proposal should be balanced against any harm found. As set out within my decision, the public benefits of the scheme relate to highway improvements and the addition of four dwellings to the housing stock. Together, these matters attract minor to moderate weight in favour of the proposal. However, they are modest in scale and would not outweigh the less than substantial harm identified to the character and the appearance of the BSCA.
74. Harm has also been identified to the character and appearance of the SGI and Key Corridor; to biodiversity including European protected species; trees and with respect to the proposal's location. These matters attract substantial weight against the proposal.
75. Paragraph 148 goes on to state that very special circumstances will not exist unless the potential harm to the GB by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. I acknowledge that the application has been submitted by the existing residents seeking to improve this part of the village, and with considerable local support. However, as set out above, other considerations put forward in support of the proposal attract only minor to moderate weight. I therefore find that these benefits do not outweigh the totality of the harm to the Green Belt by reason of inappropriateness and the other harms that I have identified. Consequently, the very special circumstances necessary to justify the development do not exist.
76. The scheme conflicts with the development plan when read as a whole, and the material considerations before me do not lead me to conclude otherwise. For the reasons stated above, the appeal is dismissed.

E Symmons

INSPECTOR